

U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-00154-RBW

JUDICIAL WATCH, INC. v. U.S. DEPARTMENT OF JUSTICE
Assigned to: Judge Reggie B. Walton
Cause: 05:552 Freedom of Information Act

Date Filed: 01/24/2018
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**JUDICIAL WATCH, INC.**

represented by **Michael Bekesha**
JUDICIAL WATCH, INC.
425 Third Street, SW
Suite 800
Washington, DC 20024
(202) 646-5172
Fax: (202) 646-5199
Email: mbekesha@judicialwatch.org
ATTORNEY TO BE NOTICED

V.

Defendant**U.S. DEPARTMENT OF JUSTICE**

represented by **Garrett Joseph Coyle**
U.S. DEPARTMENT OF JUSTICE
Civil Division, Federal Programs Branch
1100 L Street, NW
Washington, DC 20005
(202) 616-8016
Email: garrett.coyle@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
01/24/2018	<u>1</u>	COMPLAINT against U.S. DEPARTMENT OF JUSTICE (Filing fee \$ 400 receipt number 0090-5300900) filed by JUDICIAL WATCH, INC.. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons for U.S. Attorney, # <u>3</u> Summons for Attorney General, # <u>4</u> Summons for U.S. Department of Justice)(Bekesha, Michael) (Entered: 01/24/2018)
01/24/2018	<u>2</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by JUDICIAL WATCH, INC. (Bekesha, Michael) (Entered: 01/24/2018)
01/24/2018		Case Assigned to Judge Reggie B. Walton. (jd) (Entered: 01/29/2018)
01/29/2018	<u>3</u>	SUMMONS (3) Issued Electronically as to U.S. DEPARTMENT OF JUSTICE, U.S. Attorney and U.S. Attorney General. (Attachment: # <u>1</u> Notice and Consent)(jd) (Entered: 01/29/2018)
02/06/2018	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 2/2/2018. (Answer due for ALL FEDERAL DEFENDANTS by 3/4/2018.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 02/02/18., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF JUSTICE served on 2/2/2018 (Attachments: # <u>1</u> Exhibit 1 (U.S. Attorney for DC), # <u>2</u> Exhibit 2 (U.S. Attorney General), # <u>3</u> Exhibit 3 (U.S. Department of Justice))(Bekesha, Michael) (Entered: 02/06/2018)

03/14/2018	<u>5</u>	Unopposed MOTION for Extension of Time to File Answer re <u>1</u> Complaint, by U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Answer)(Coyle, Garrett) (Entered: 03/14/2018)
03/15/2018		MINUTE ORDER granting <u>5</u> . Upon consideration of the Defendant's Unopposed Motion for Enlargement of Time to Answer Complaint Nunc Pro Tunc, and for good cause shown, it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that the defendant's answer, attached as an exhibit to the motion, is hereby entered on the docket and deemed timely filed. Signed by Judge Reggie B. Walton on March 15, 2018. (lcrbw2) (Entered: 03/15/2018)
03/15/2018	<u>6</u>	GENERAL ORDER FOR CIVIL CASES BEFORE THE HONORABLE REGGIE B. WALTON. Signed by Judge Reggie B. Walton on March 15, 2018. (lcrbw2) (Entered: 03/15/2018)
03/15/2018		MINUTE ORDER. To ensure the expeditious resolution of this action, and because this action qualifies as an exempted case under Local Civil Rule 16.3(b), it is hereby ORDERED that the parties shall file a joint proposed schedule governing further proceedings on or before April 5, 2018. Signed by Judge Reggie B. Walton on March 15, 2018. (lcrbw2) (Entered: 03/15/2018)
03/15/2018	<u>7</u>	ANSWER to Complaint by U.S. DEPARTMENT OF JUSTICE.(zrdj) (Entered: 03/20/2018)
03/16/2018		Set/Reset Deadlines: Joint proposed schedule due by 4/5/2018. (hs) (Entered: 03/16/2018)
04/05/2018	<u>8</u>	PROPOSED BRIEFING SCHEDULE re Order, <i>to Govern Further Proceedings</i> by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order)(Coyle, Garrett) (Entered: 04/05/2018)
04/05/2018		MINUTE ORDER. Upon consideration of the parties' Joint Proposed Schedule Governing Further Proceedings, and for good cause shown, it is hereby ORDERED that the Federal Bureau of Investigation shall process the 35 pages of records it has identified as potentially responsive to the second and third categories of the plaintiff's Freedom of Information Act request and produce any responsive, non-exempt records on or before May 4, 2018. It is further ORDERED that the parties shall file an additional joint status report, proposing a schedule to govern further proceedings in this case on or before May 18, 2018. Signed by Judge Reggie B. Walton on April 5, 2018. (lcrbw2) (Entered: 04/05/2018)
04/06/2018		Set/Reset Deadlines: Plaintiff's Responses due by 5/4/2018; Joint Status Report due by 5/18/2018 (hs) (Entered: 04/06/2018)
05/17/2018	<u>9</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Proposed Order)(Coyle, Garrett) (Entered: 05/17/2018)
05/21/2018		MINUTE ORDER. Upon consideration of the parties' Joint Status Report, and for good cause shown, it is hereby ORDERED that the parties' proposed schedule is ADOPTED. It is further ORDERED that this case shall proceed as follows: (1) the Federal Bureau of Investigation ("FBI") shall process the 500 pages of potentially responsive records and produce any responsive, non-exempt records to the plaintiff on or before June 29, 2018; (2) after June 29, 2018, the FBI, on a monthly basis, shall process 500 pages of potentially responsive records and produce any responsive, non-exempt records to the plaintiff; and (3) on September 1, 2018, and thereafter on a quarterly basis (once every three months), on the first day of the month (or, if the first falls on a weekend or holiday, the next business day), the parties shall file a joint status report advising the Court of the FBI's progress in processing the request. Signed by Judge Reggie B. Walton on May 21, 2018. (lcrbw2) (Entered: 05/21/2018)
06/01/2018	<u>10</u>	MOTION for Order <i>for Preservation</i> by JUDICIAL WATCH, INC. (Attachments: # <u>1</u> Text of Proposed Order)(Bekesha, Michael) (Entered: 06/01/2018)
06/08/2018	<u>11</u>	ERRATA by JUDICIAL WATCH, INC. <u>10</u> MOTION for Order <i>for Preservation</i> filed by JUDICIAL WATCH, INC.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Bekesha, Michael) (Entered: 06/08/2018)

06/11/2018	<u>12</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>10</u> MOTION for Order <i>for Preservation</i> by U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Coyle, Garrett) (Entered: 06/11/2018)
06/11/2018		MINUTE ORDER granting <u>12</u> . Upon consideration of the Defendant's Unopposed Motion for a Two-Business-Day Extension of Time to Respond to Plaintiff's Motion for Preservation Order, and for good cause shown, it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that the defendant shall file its response to the plaintiff's motion on or before June 19, 2018. Signed by Judge Reggie B. Walton on June 11, 2018. (lcrbw2) (Entered: 06/11/2018)
06/12/2018		Set/Reset Deadlines: Defendant's Response due by 6/19/2018 (hs) (Entered: 06/12/2018)
06/19/2018	<u>13</u>	Memorandum in opposition to re <u>10</u> MOTION for Order <i>for Preservation</i> filed by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Declaration of David M. Hardy)(Coyle, Garrett) (Entered: 06/19/2018)
06/25/2018	<u>14</u>	REPLY to opposition to motion re <u>10</u> MOTION for Order <i>for Preservation</i> filed by JUDICIAL WATCH, INC.. (Bekesha, Michael) (Entered: 06/25/2018)
08/09/2018	<u>15</u>	NOTICE of Recent Development by U.S. DEPARTMENT OF JUSTICE re <u>10</u> MOTION for Order <i>for Preservation</i> (Coyle, Garrett) (Entered: 08/09/2018)
09/04/2018	<u>16</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Coyle, Garrett) (Entered: 09/04/2018)
09/26/2018	<u>17</u>	NOTICE of Change of Address by Garrett Joseph Coyle (Coyle, Garrett) (Entered: 09/26/2018)
11/13/2018	<u>18</u>	ORDER. In accordance with the attached Order, it is hereby ORDERED that the <u>10</u> Plaintiff's Motion for Preservation Order is DENIED. Signed by Judge Reggie B. Walton on November 13, 2018. (lcrbw2) (Entered: 11/13/2018)
11/30/2018	<u>19</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Coyle, Garrett) (Entered: 11/30/2018)
12/27/2018	<u>20</u>	Unopposed MOTION to Stay <i>December 29, 2018 Production Deadline</i> by U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Coyle, Garrett) (Entered: 12/27/2018)
01/02/2019		MINUTE ORDER. Upon consideration of the <u>20</u> Government's Unopposed Motion to Stay December 29 Production Deadline in Light of Lapse of Appropriations, and for good cause shown, it is hereby ORDERED that the motion is GRANTED IN PART AND DENIED IN PART. The motion is GRANTED to the extent that the defendant seeks to vacate the impending deadlines in this case. The motion is DENIED in all other respects. It is further ORDERED that the impending deadlines in this case are VACATED pending further Order of the Court. It is further ORDERED that, on or before January 28, 2019, the parties shall file a joint status report regarding how this case shall proceed. Signed by Judge Reggie B. Walton on January 2, 2019. (lcrbw2) (Entered: 01/02/2019)
01/23/2019		MINUTE ORDER. In light of the continued lapse in appropriations, it is hereby ORDERED that the previously imposed deadline for filing a joint status report on or before January 28, 2019, is VACATED. It is further ORDERED that, on or before fourteen days after appropriations have been restored, the parties shall file a joint status report proposing new deadlines in this case. Signed by Judge Reggie B. Walton on January 23, 2019. (lcrbw2) (Entered: 01/23/2019)
01/31/2019	<u>21</u>	Joint STATUS REPORT <i>Proposing Post-Shutdown Schedule</i> by U.S. DEPARTMENT OF JUSTICE. (Coyle, Garrett) (Entered: 01/31/2019)
04/01/2019	<u>22</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Coyle, Garrett) (Entered: 04/01/2019)
04/01/2019		MINUTE ORDER. Upon consideration of the parties' <u>21</u> Joint Status Report, and for good cause shown, it is hereby ORDERED that the parties' proposed schedule is ADOPTED. It is further ORDERED that this case shall proceed as follows: (1) after March 29, 2019, the Federal Bureau of Investigation ("FBI"), shall, on a monthly

		basis, process 500 pages of potentially responsive records and produce any responsive, non-exempt records to the plaintiff; and (2) on July 1, 2019, and thereafter on a quarterly basis (once every three months), on the first day of the month (or, if the first falls on a weekend or holiday, the next business day), the parties shall file a joint status report advising the Court of the FBI's progress in processing the request. Signed by Judge Reggie B. Walton on April 1, 2019. (lcrbw2) (Entered: 04/01/2019)
04/01/2019		Set/Reset Deadlines: Joint Status Report due by 7/1/2019 (hs) (Entered: 04/01/2019)
07/01/2019	<u>23</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Coyle, Garrett) (Entered: 07/01/2019)
07/24/2019		MINUTE ORDER. Upon further consideration, the Court is concerned that the processing rate adopted by the Court may be inadequate. Accordingly, it is hereby ORDERED that the parties shall appear before the Court for a status conference on July 30, 2019, at 11:00 a.m., to address the appropriate processing rate in this matter. Signed by Judge Reggie B. Walton on July 24, 2019. (lcrbw2) (Entered: 07/24/2019)
07/25/2019		Set/Reset Hearings: Status Conference set for 7/30/2019 at 11:00 AM in Courtroom 16 before Judge Reggie B. Walton. (hs) (Entered: 07/25/2019)
07/30/2019		Minute Entry; for proceedings held before Judge Reggie B. Walton: Status Conference held on 7/30/2019. Next Status Report due 9/30/2019. (Court Reporter Cathryn Jones) (hs) (Entered: 07/30/2019)
07/30/2019	<u>24</u>	ORDER. In accordance with the attached Order, it is hereby ORDERED that the processing rate of 500 pages per month shall remain in effect pending further order of the Court. It is further ORDERED that, on or before September 30, 2019, the parties shall file a joint status report addressing, inter alia, their efforts to narrow the scope of the plaintiff's Freedom of Information Act request and potential utilization of deduplication software to expedite the processing of the plaintiff's request. Signed by Judge Reggie B. Walton on July 30, 2019. (lcrbw2) (Entered: 07/30/2019)
07/30/2019		Set/Reset Deadlines: Joint Status Report due by 9/30/2019 (hs) (Entered: 07/30/2019)